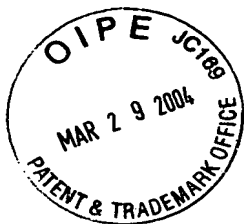


**COMBINED DECLARATION, POWER OF ATTORNEY AND PETITION**



I, the inventor,

Name: Roberto CAPODIECI  
Residence: Glen Ellyn, Illinois  
Post Office Address: 21 West McCarron Road  
Glen Ellyn, Illinois 60137  
Citizenship: United States of America

declare that I have reviewed and understand the contents of the attached specification and claims and I verily believe that I am the original, first and sole inventor or discoverer of the invention or discovery in

**APPARATUS AND METHOD FOR SHAPED CUTTING  
AND SLITTING OF FOOD PRODUCTS**

described and claimed in the attached specification; that this application discloses and claims subject matter disclosed in my earlier Provisional patent application of which I hereby claim the benefit under 35 U.S.C. § 119(e), Serial No. 60/427,729, filed 20 November 2002; that as to the subject matter of this application which is common to said earlier application; that I do not know and do not believe that this invention was ever known or used in the United States before my invention or discovery thereof; that to the best of my knowledge and belief the invention has not been in public use or on sale in the United States more than one year prior to my application, or patented or made the subject of an inventor's certificate in any foreign country prior to the date of my application on an application filed by myself or my legal representatives or assigns more than twelve months prior to my application in this country; that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with 37 C.F.R. 1.56(a); and that no application for patent or inventor's certificate on this invention or discovery has been filed by me or my legal representatives or assigns in any country foreign to the United States, except as follows:

None

**POWER OF ATTORNEY**

I hereby appoint the following attorneys to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

Thomas W. Speckman	Registration No. 22,617
Douglas H. Pauley	Registration No. 33,295
Maxwell J. Petersen	Registration No. 32,772

**COMBINED DECLARATION, POWER  
OF ATTORNEY AND PETITION**

Nick C. Kottis	Registration No. 31,974
Kevin D. Erickson	Registration No. 38,736
Roland W. Norris	Registration No. 32,799
Melanie I. Rauch	Registration No. 40,924
Eric T. Krischke	Registration No. 42,769
Margaret M. Crosby	Registration No. 40,969
Mark D. Swanson	Registration No. 48,498
Janine A. Moderson	Registration No. 50,981

**SEND CORRESPONDENCE TO:**

Kevin D. Erickson  
Pauley Petersen & Erickson  
2800 West Higgins Road; Suite 365  
Hoffman Estates, Illinois 60195  
TEL (847) 490-1400  
FAX (847) 490-1403

**DIRECT TELEPHONE CALLS TO:**

Kevin D. Erickson  
(847) 490-1400  
(847) 490-1403 - Fax

**PETITION**

Wherefore I Pray that Letters Patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and I hereby subscribe my name to the attached specification and claims, Declaration, Power of Attorney and this Petition.

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

28 Nov 2003  
Date

  
Roberto CAPODIECI

U.S. PATENT & TRADEMARK OFFICE  
MAR 29 2004  
JC-189

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(d) & 1.27(d))-SMALL BUSINESS CONCERN****Docket Number**  
CRI-101

Applicant or Patentee: Roberto CAPODIECI  
Serial or Patent No.: \_\_\_\_\_  
Filed or Issued: \_\_\_\_\_  
Title: APPARATUS AND METHOD FOR SHAPED CUTTING AND SLITTING OF FOOD PRODUCTS

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Creative Resonance, Inc.  
ADDRESS OF SMALL BUSINESS CONCERN 21 West 708 McCarron Road  
Glen Ellyn, Illinois 60137

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.  
☐ the application identified above.  
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).



Each person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.  
☐ each such person, concern or organization is listed below:

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING  ROBERTO CAPODIECI  
TITLE OF PERSON IF OTHER THAN OWNER President  
ADDRESS OF PERSON SIGNING 21 West 708 McCarron Road, Glen Ellyn, Illinois 60137  
SIGNATURE  DATE 28 NOV 2003